

### **Response**

Claims 1-10 remain pending in the application. The Examiner indicated claims 3-7 would be allowable if appropriately rewritten. The Examiner also objected to claim 1 because of its inclusion of a parenthetical phrase and initially rejected claims 1-2 and 8-10 under 35 U.S.C. § 103(a) as obvious over the combined disclosures of U.S. Patent Nos. 6,026,802 to Patterson and 6,886,713 to Scherrer.

In response to the Examiner's objection to claim 1, Applicants have omitted from the claim the previously-appearing parenthetical expression. Applicants have made no substantive change to any claim, however, as they believe the Examiner's citation of the Patterson and Scherrer patents to be erroneous. Indeed, neither patent relates, in any way whatsoever, to flight crew breathing masks or assemblies. Instead, the Patterson patent details an outdoor appliance enclosure, while the Scherrer patent is directed to a tool box for a truck bed. For at least this reason, therefore, Applicants request that claims 1-2 and 8-10 be allowed.

Moreover, Applicants' invention of claims 1-2 and 8-10 predates the filing of the application for the Scherrer patent on July 19, 2002. Attached hereto pursuant to 37 C.F.R. § 1.131 is the "Declaration of Patrice Martinez, Philippe Gerard, Benoit Lelievre, and Dominique Lemasson" proving their conception and reduction to practice of the inventions of claims 1-2 and 8-10 prior to July 19, 2002. Applicants request that claims 1-2 and 8-10 be allowed for this reason as well.

Conclusion

Applicants request that the Examiner allow claims 1-10 and that a patent containing these claims issue in due course.

Respectfully submitted,



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